

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

APAT – Implementation of orders of Hon'ble APAT in OA.No.3741/2008 filed by Sri Mahmood Khan, HC 68 of SAR CPL, Amberpet, and orders of the APAT in O.A.No.1765/2008 filed by Mohd Yousuf Ali HC 386 as upheld by the Hon'ble High Court in W.P.No.13106/2009 – Orders –Issued.

HOME (SER.II) DEPARTMENT

G.O.Rt.No. 1519

Dated:2-9-2010
Read the following:

1. From the DGP, AP, Hyderabad, Lr.Rc.No. 367/F1/2008, dated: 15-9-2008
2. Govt. Memo. No. 29481/Ser.II/A3/2008, dated; 25-11-2008
3. Govt. Memo. No. 28650/Ser.II/A3/2008, dated; 19-9-2008
4. From the DGP, AP, Hyderabad, Lr.Rc.No. 737/F1/2008, dated: 24-6-2010
5. From the DGP, AP, Hyderabad, Lr.Rc.No. 367/F1/2008, dated: 25-6-2010
6. From the DGP, AP, Hyderabad, Lr.Rc.No. 367/F1/2008, dated: 17-7-2010

Order:

In the references 1st, 4th and 5th read above, the Director General of Police, Andhra Pradesh, Hyderabad, has reported that the Department has recovered the excess amount of pay due to erroneous pay fixation, from the pensionary benefits of Sri Mahmood Khan, HC 68 of SAR CPL, Amberpet and Sri Mohd Yousuf Ali HC 386. They have approached the Hon'ble APAT and the APAT has issued directions in OA.Nos. 1765/2008 and 3741/2008 to refund the recovered amount due to erroneous pay fixation from the applicants, as there was no fault of the applicants. An appeal was filed in the Hon'ble High Court and the Hon'ble High Court has remitted back one case i.e 3741/2008 to the APAT and in another case i.e in 1765/2008 dismissed the WP.No. 13106/2009 filed by the Department and thereby upholding the orders of the APAT. In another case remitted back i.e 3741/2008, the APAT has issued orders dated: 11-3-2010, making the Judgment of the High Court in WP.No. 13106/2009 dated: 2-11-2009 as part the Judgment. The DGP, AP, Hyderabad, has instructed the Commandant, SAR CPL, Hyderabad, to implement the orders of the Hon'ble High Court, to refund the amount recovered from the above said individuals due to erroneous pay fixation. However, the PAO has returned the bills, requesting to obtain specific permission from the Government for implementing the orders of the APAT/High Court. Accordingly the DGP, AP, Hyderabad, has requested for concurrence of the Government.

2. Government after careful examination of the matter hereby permit the Director General of Police, Andhra Pradesh, Hyderabad, to implement the orders of the Hon'ble APAT dated:11-3-2010 in OA.No.3741/2008, and orders dated: 28-8-2008 in O.A.No.1765/2008 as upheld by the Hon'ble High Court in W.P.No.13106/2009 dated: 2-11-2009, to refund the amount to Sri Mahmood Khan, HC 68 of SAR CPL, Amberpet and Sri Mohd Yousuf Ali HC 386, SAR CPL, which is recovered from them due to erroneous pay fixation. He is also requested to identify the officers responsible for erroneous pay fixation and recover the amount refunded to the applicants from them and intimate the action taken to Government.

3. This order issues with the concurrence of the Finance (Pension. II) dept., vide their U.O.No.22743/225/A1/Pen.II/2010, dated: 17-8-2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P.GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Director General of Police, Andhra Pradesh, Hyderabad
The Commandant SAR CPL, Hyderabad
SC/SF

//Forwarded ::By order//

SECTION OFFICER